

Message Text

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ACTION EB-07

INFO OCT-01 EUR-12 EA-09 IO-11 ISO-00 CU-04 STR-04 TRSE-00

COME-00 L-03 OES-05 MC-02 CIAE-00 INR-07 NSAE-00

ERDA-07 DODE-00 /072 W

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FM AMEMBASSY BONN

TO SECSTATE WASHDC 7092

INFO USMISSION EC BRUSSELS

AMEMBASSY BRUSSELS

AMEMBASSY COPENHAGEN

AMEMBASSY DUBLIN

AMEMBASSY LONDON

AMEMBASSY LUXEMBOURG

AMEMBASSY PARIS

AMEMBASSY THE HAGUE

AMEMBASSY ROME

AMEMBASSY TOKYO

USDEL MTN GENEVA

AMCONSUL BREMEN

AMCONSUL DUSSELDORF

AMCONSUL FRANKFURT

AMCONSUL MUNICH

AMCONSUL HAMBURG

AMCONSUL STUTTGART

USMISSION USBERLIN

UNCLAS BONN 04017

E.O. 11652: N/A

TAGS: ETRD, BEXP, EEC, BE

SUBJ: EC REGULATION 1798/75: CUSTOMS DUTIES ON

EDUCATIONAL, SCIENTIFIC AND CULTURAL MATERIALS

REF: (A) STATE 35889; (B) BONN 2566

1. FRG CONSIDERED THAT REGULATION 1798/75 ENTERED

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INTO FORCE AT TIME IT WAS PUBLISHED IN EC OFFICIAL

JOURNAL, AND THAT REGULATIONS AT THE NATIONAL LEVEL WERE NOT REQUIRED TO IMPLEMENT THIS REGULATION. THE FRG HAS PUBLICIZED THE NEW EC REGULATION AND HAS REVISED RELEVANT CUSTOMS FORMS USED IN APPLYING FOR DUTY-FREE TREATMENT UNDER THE FLORENCE TREATY.

2. EMBASSY AND CONSULATES GENERAL HAVE QUERIED OVER 45 AGENTS OF U.S. INSTRUMENTS FIRMS, INSTITUTIONAL END-USERS AND THE NATIONAL SCIENTIFIC INSTRUMENTS IMPORTERS ASSOCIATION ABOUT THE POSSIBLE IMPACT OF REG. 1798/75 ON IMPORTS FROM THE U.S. MOST OF THE FIRMS QUERIED BELIEVED THAT IT WAS TOO EARLY TO ASSESS THE LIKELY IMPACT. THOSE FIRMS WHICH HAVE HAD SHIPMENTS UNDER THE NEW REGULATIONS HAVE NOT ENCOUNTERED ANY ADMINISTRATIVE DELAY. IMPORTS ARE STILL RELEASED FROM CUSTOMS UPON PRESENTATION OF THE NEW APPLICATION FORM FILLED OUT BY THE INSTITUTIONAL CUSTOMER STATING THAT EQUIVALENT EQUIPMENT IS NOT AVAILABLE WITHIN THE EC. (COMMENT: IF A SIGNIFICANT NUMBER OF APPLICATIONS ARE DENIED FOLLOWING THEIR REVIEW BY CUSTOMS AUTHORITIES OF OTHER MEMBER STATES, THE RESULTING UNCERTAINTY WOULD HAVE AN ADVERSE IMPACT ON THE COMPETITIVE POSITION OF U.S. EQUIPMENT. WE DOUBT THAT WE WILL HAVE MUCH FEED-BACK FROM IMPORTERS FOR ANOTHER MONTH OR TWO CONCERNING THE NUMBER OF DENIALS.)

3. IN GENERAL, THE IMPORTERS BELIEVED THAT U.S. EQUIPMENT WHICH OFFERS PARTICULAR ADVANTAGES (SOPHISTICATED FEATURES, QUALITY, TAILORED TO FIT SPECIFIC NEEDS, COMPLIMENT EXISTING US EQUIPMENT) WILL NOT BE SERIOUSLY AFFECTED BY THE NEW REGULATION. HOWEVER, EVEN AT THIS EARLY DATE SEVERAL IMPORTANT EXCEPTIONS TO THIS ASSESSMENT HAVE CROPPED UP. THE AGENT FOR A CALIFORNIA PRODUCER OF NEUTRON ACTIVATION FLAILS REPORTED THAT THE EXISTENCE OF A BRITISH COMPETITOR WILL HENCEFORTH MAKE IT IMPOSSIBLE TO OBTAIN DUTY FREE TREATMENT, AND THAT THE US PRODUCT WILL NO LONGER BE PRICE COMPETITIVE VIS-A-VIS THE BRITISH GOOD IN VIEW OF APPLICABLE TARIFF RATES OF 13-14 PERCENT. TWO OTHER AGENTS PREDICTED THAT THE

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SALE OF US INSTRUMENTS THEY IMPORT (LASERS, SPECTROSCOPES, AND CHROMATOGRAPHS) WOULD BE ADVERSELY AFFECTED GIVEN FRENCH COMPETITION.

4. THE FRG DOES NOT COLLECT DATA ON THE VALUE OF DUTY-FREE IMPORTS ENTERING UNDER THE FLORENCE TREATY. HILLENBRAND

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